

EXHIBIT E-7
INSTRUCTIONS FOR THE PUBLICATION OF
A COMBINED NOTICE FONSI – NOI/RROF

Those who must prepare this document are:

Grantees whose projects have been determined to require an ENVIRONMENTAL ASSESSMENT.

After the submission of the Checklist and all substantiating documentation to the State the ECO should prepare a copy of Exhibit E-7 –Combined Notice “Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF)”.

TO PUBLISH A COMBINED NOTICE - FONSI-NOI/RROF:

1. Prepare a draft version of the notice inserting all the appropriate information, i.e.:
 - grantee,
 - address,
 - project name,
 - amount of total funds (CDBG), etc.
2. **Before publishing**, ask the newspaper to provide you with the exact date on which the publication will appear. Insert that date as the date of publication. Add sixteen (16) days to that date. This is the date that you must insert in the "On or about ___" blank in the first paragraph of the publication. ***It is important that this date be exact. If it is incorrect, and the difference is more than a day or so, you may be required to republish.*** This is the period of time which must be allowed for the public to be made aware of the project and to peruse and comment on the environmental review if they so desire.
3. If no comments have been received by the jurisdiction during the 15 day comment period, the jurisdiction should send the publisher's proof of publication and the **REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION (RROF/CERT), Exhibit E-8 to DCD**. (See the instructions on Exhibit E-8 for the completion of that Exhibit) The State's 15 day comment period begins the day after DCD receives a copy of the Request for Release of Funds and copy of the proof of publication.
4. Complete Exhibit E-9 and send copy to DCD, Cheryl Elliott.

TO POST A COMBINED NOTICE - FONSI-NOI/RROF: POSTING IS NOT ALLOWED IN AREAS WHERE CITIZENS HAVE ACCESS TO A LOCAL OR AREA NEWSPAPER.

1. Prepare a draft version of the notice inserting all the appropriate information, i.e.:
 - grantee,
 - address,
 - project name,
 - amount of total funds (CDBG), etc.
2. **Before posting** determine eighteen (18) days from the date on which the notice will be posted. Insert this date as the "On or about ___" blank in the first paragraph of the notice. ***It is important that this date be exact. If it is incorrect, and the difference is more than a day or so, you may be required to re-post.*** This is the period of time allowed for the public to be made aware of the project and to peruse and comment on the environmental review if they so desire. Post the notice prominently in three public places within the project area or in accordance with the procedures established as part of the citizen participation process.
3. If no comments have been received by the jurisdiction by **18 days following the posting date**, a Certification of Posting signed by the Community's Clerk must be sent to the State **accompanied by the REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION (RROF/CERT), Exhibit E-8**. See the instructions on Exhibit E-8 for the completion of that Exhibit.
4. Complete Exhibit E-9 and send a copy to DCD, Cheryl Elliott.

COMBINED NOTICE
FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
(FONSI-NOI/RROF)

(Must be published for a minimum of one day in a paper of local circulation or within the project area)

Date of publication:
Name of Grant Recipient:
Address:

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

ON OR ABOUT * * (RESPONSIBLE ENTITY) will request that the Utah Division of Community Development (DCD) (here **ADD ANY OTHER FEDERAL FUNDING AGENCIES**) release Federal funds under Title I of the Housing and Community Development Act of 1974 (PL93-383)(and **ANY OTHER FEDERAL FUNDING SOURCES, i.e. HOME**) for the following project:

PROJECT TITLE OR NAME:
PURPOSE OF THE PROJECT:
LOCATION OF PROJECT:
STREET ADDRESS:
CITY:
COUNTY:
STATE:
ESTIMATED COST OF PROJECT: (ALL FUNDS)

An environmental review for the project has been made by (RESPONSIBLE ENTITY) and is available for public examination and copying at: (INSERT ADDRESS).

FINDING OF NO SIGNIFICANT IMPACT

Based on this review (RESPONSIBLE ENTITY) has determined that a request for release of project funds will not significantly affect the quality of the human environment and hence an environmental impact statement will not be undertaken under the National Environmental Policy Act of 1969 (PL91-910).

The reasons for the decision not to prepare an environmental impact statement are as follows:
(insert Statement of explanation _____)

PUBLIC COMMENTS ON FINDINGS

All interested agencies, groups and persons disagreeing with these decisions are invited to submit written comments for consideration by (RESPONSIBLE ENTITY) to (office address of the undersigned/other specified place) on or before _____ (inset the date one day before the "on or about" date listed above).

¹ All comments must clearly specify which decision they object to -- the Finding of No Significant Impact or the Request for Release of Funds. All comments so received will be considered by grantee prior to its taking any administrative action or requesting release of funds on the date listed immediately above.

RELEASE OF FUNDS

(RECIPIENT) will undertake the project described above with Block Grant funds from the Utah Division of Community Development (DCD) under Title I of the Housing and Community Development Act of 1974. (RESPONSIBLE ENTITY) is certifying to DCD that _____ (environmental certifying officer) in his/her official capacity, consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, (RECIPIENT) may use the Block Grant funds and DCD will have satisfied its responsibilities under the National Environmental Policy Act of 1969 and other environmental responsibilities listed in 24 CFR Part 58.

OBJECTIONS TO STATE RELEASE OF FUNDS

DCD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases: (a) that the certification was not in fact executed by the certifying officer or other officer of applicant approved by DCD or (b) that the applicant's environmental review record for the project indicated omission of a required decision, finding or step applicable to the project in the environmental review process or (c) another Federal agency has submitted written comments pursuant to section 309 of the Clean Air Act or Section 102(c) of NEPA. Objections must be prepared and submitted in accordance with the required procedures (24 CFR 58) and may be addressed to: CDBG Program, Division of Community Development, 324 South State Street, Salt Lake City, Utah 84111.

The Division of Community Development will not consider objections to the release of funds on bases other than those stated above. All objections must be received by DCD within 15 days from the time DCD receives the request for release of funds and certification.

(Name, Title and Address of Certifying Officer)

**** This date must be at least 16 days following the date of publication or 18 days following the date of posting of this publication.**